

**REMARKS**

This paper is filed in response to the Office Action mailed November 15, 2006.

Claims 1-2 and 4-20 are pending in the present application. Claims 1-20 are rejected under the judicially-created doctrine of obviousness-type double patenting to U.S. Patent No. 6,801,008 to Jacobus et al ("Jacobus"). Claims 14-18 are rejected under 35 U.S.C. § 112, second paragraph, for having claim elements that lack sufficient antecedent basis. Claims 1-7, 9, 10, 12, and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,278,920 to Ruoff, Jr. ("Ruoff"). Claims 8 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ruoff in view of U.S. Patent No. 5,038,089 to Szakaly ("Szakaly").

Applicant has amended claims 1 and 14-18, and has cancelled claim 3. No new matter is added by these amendments, and support may be found in the specification and claims as originally filed.

Reconsideration and allowance of all claims is respectfully requested in light of the amendments above and the remarks below.

**Information Disclosure Statement**

Applicant noticed that the Examiner has not initialed a foreign patent reference cited in the copy of the information disclosure statement filed on August 14, 2000 in a parent of the present application. Specifically, foreign reference WO9532459 was not initialed as considered by the Examiner. Applicant respectfully requests that the Examiner consider this reference and expressly initial the reference as considered.

**Double Patenting – Claims 1-20**

Applicant respectfully traverses the rejection of claims 1-20 under the judicially-created doctrine of obviousness-type double patenting to Jacobus. Applicant traverses the rejection of claim 3 on the basis that this claim has been cancelled, rendering the rejection of the claim moot. Applicant will submit a terminal disclaimer over Jacobus in the event that the Examiner determines that the pending claims are otherwise in condition for allowance.

§ 112, second paragraph – Claims 14-18

Applicant respectfully traverses the rejection of claims 14-18 under 35 U.S.C. § 112, second paragraph, for having claim elements that lack sufficient antecedent basis. Applicant has amended claims 14-18 to correctly depend from claim 13, rather than from claim 12. All elements of claims 14-18 now have sufficient antecedent bases. Applicant respectfully requests that the Examiner withdraw the rejection of claims 14-18. Further, Applicant respectfully submits that, because claim 13 is in condition for allowance, claims 14-18, which depend from and further limit claim 13, are also in condition for allowance.

Ruoff – § 102(b) – Claims 1-7, 9, 10, 12, and 19

Applicant respectfully traverses the rejection of claims 1-7, 9, 10, 12, and 19 under 35 U.S.C. § 102(b) as being anticipated by Ruoff.

To anticipate a claim under 35 U.S.C. § 102(b), a reference must disclose each and every element of the claimed invention. *See* M.P.E.P. § 2131.

Applicant traverses the rejection of claim 3 on the basis that this claim has been cancelled, rendering the rejection of the claim moot.

Because Ruoff does not disclose “the stored force feedback effect comprising a force feedback effect type and a magnitude,” as recited in claims 1 and 19, Ruoff does not anticipate claims 1 and 19. Ruoff discloses that the feedback signals represent a “positional condition” of the output member. *See* Ruoff, Column 2, lines 46-48. Specifically, Ruoff discloses that the “positional condition” is either the “rates of motion of the controlled axes,” or the “instantaneous position of the output member.” *See* Ruoff, Column 2, lines 42-48. Neither the “rates of motion of the controlled axes” or the “instantaneous position of the output member” is “a force feedback effect type and a magnitude.” Thus Ruoff does not anticipate claim 1 or 19. Applicant respectfully requests the Examiner withdraw the rejection of claims 1 and 19.

Because claims 2, 4-7, 9, 10, and 12 depend from and further limit claim 1, claims 2, 4-7, 9, 10, and 12 are not anticipated by Ruoff for at least the same reason. Applicant respectfully requests the Examiner withdraw the rejection of claims 1-7, 9, 10, 12, and 19.

Ruoff in view of Szakaly – § 103(a) – Claims 8 and 11

Applicant respectfully traverses the rejection of claims 8 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Ruoff in view of Szakaly.

To sustain a rejection of a claim under 35 U.S.C. § 103(a), the combined references must teach or suggest each and every element of the claimed invention. *See* M.P.E.P. § 2143.03.

Because Ruoff in view of Szakaly does not teach or suggest “the stored force feedback effect comprising a force feedback effect type and a magnitude” as recited in claim 1, from which claims 8 and 11 depend, claims 8 and 11 are patentable over the combined references. As discussed above with respect to claim 1, Ruoff does not teach “the stored force feedback effect comprising a force feedback effect type and a magnitude.” Szakaly does not cure this deficiency. Szakaly teaches a differential signal composed of “six absolute numbers” corresponding with the change in position of a “six-degree-freedom hand controller.” *See* Szakaly, Abstract. A relative change in position is not a “force feedback type and a magnitude.” Thus, the combination of Ruoff in view of Szakaly does not teach or suggest “the stored force feedback effect comprising a force feedback effect type and a magnitude.”

Since claims 8 and 11 depend from and further limit claim 1, claims 8 and 11 are patentable over the combined references for at least the same reason as claim 1. Applicant respectfully requests the Examiner withdraw the rejection of claims 8 and 11.

Claim 13 - Allowed

Applicant appreciates the allowance of independent claim 13.

Claim 20 - Objection

Applicant appreciates the examiner’s statement that claim 20 would be allowed if rewritten in independent form including the limitations of the base claim. However, for the reasons stated above, Claim 19 is patentable over Ruoff. Because claim 20 depends from and

further limits claim 19, Applicant respectfully submits that claim 20 is now allowable as a dependent claim. Applicant requests the Examiner withdraw the objection to claim 20.

Prior Art Made of Record and Not Relied Upon

In the Conclusion, the Office Action lists references which were made of record and not relied upon. Applicant respectfully traverses the characterization and relevance of these references as prior art or otherwise, and respectfully reserves the right to present such arguments and other material should the Examiner maintain rejection of Applicant's claims, based upon the references made of record and not relied upon or otherwise.

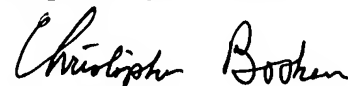
CONCLUSION

Applicant respectfully asserts that in view of the amendments and remarks above, all pending claims are allowable and Applicant respectfully requests the allowance of all claims.

Should the Examiner have any comments, questions, or suggestions of a nature necessary to expedite the prosecution of the application, or to place the case in condition for allowance, the Examiner is courteously requested to telephone the undersigned at the number listed below.

Date: February 14, 2007

Respectfully submitted,



Christopher Bosken

Reg. No. 58,887

KILPATRICK STOCKTON LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101  
(336) 607-7366 (voice)  
(336) 734-2600 (fax)